

Oklahoma Health Care Authority

The Oklahoma Health Care Authority (OHCA) values your feedback and input. It is very important that you provide your comments regarding the proposed rule change by the comment due date. Comments can be submitted on the OHCA's [Proposed Changes Blog](#).

OHCA COMMENT DUE DATE: February 15, 2019

The proposed policy is a Permanent Rule. The proposed policy was presented at the January 8, 2019 Tribal Consultation and is scheduled to be presented to the Medical Advisory Committee on March 14, 2019 and to the OHCA Board of Directors on March 21, 2019.

Reference: APA WF #18-18

SUMMARY:

Mobile Dental Clinics – Proposed revisions will add coverage and reimbursement for preventive dental services received through mobile dental clinics. Additionally, revisions will delineate mobile dental clinic provider participation requirements pursuant to the Oklahoma State Dentistry Act, while also defining coverage and limitations for preventive dental services, billing requirements, basic consent form requirements, and follow-up care requirements.

LEGAL AUTHORITY

The Oklahoma Health Care Authority Act, Section 5007 (F) (1) and (3) of Title 63 of Oklahoma Statutes; Section 5003 through 5016 of Title 63 of Oklahoma Statutes; The Oklahoma Health Care Authority Board; Title 42 of the Code of Federal Regulations (CFR), Part 441, Subpart B; Oklahoma State Dentistry Act.

RULE IMPACT STATEMENT:

**STATE OF OKLAHOMA
OKLAHOMA HEALTH CARE AUTHORITY**

TO: Nicole Nantois
Federal and State Policy

FROM: Sasha Teel
Federal and State Authorities

SUBJECT: Rule Impact Statement
APA WF #18-18

A. Brief description of the purpose of the rule:

Proposed revisions will add coverage and reimbursement for Early Periodic Screening, Diagnostic and Treatment (EPSDT) preventive dental services received through mobile dental clinics. Additionally, revisions will delineate mobile dental clinic provider participation requirements pursuant to the Oklahoma State Dentistry Act, while also defining coverage and limitations for preventive dental services, billing requirements, basic consent form requirements, and follow-up care requirements.

B. A description of the classes of persons who most likely will be affected by the proposed rule, including classes that will bear the cost of the proposed rule, and any information on cost impacts received by the agency from any private or public entities:

The proposed rule will benefit SoonerCare children and young adults who can receive EPSDT dental services by allowing dental services to be performed at mobile dental clinics.

C. A description of the classes of persons who will benefit from the proposed rule:

The proposed rule will benefit SoonerCare children and young adults who can receive EPSDT dental services by allowing dental services to be performed at mobile dental clinics.

D. A description of the probable economic impact of the proposed rule upon the affected classes of persons or political subdivisions, including a listing of all fee changes and, whenever possible, a separate justification for each fee change:

There is no economic impact and there are no fee changes associated with the rule change for the above classes of persons or any political subdivision.

E. The probable costs and benefits to the agency and to any other agency of the implementation and enforcement of the proposed rule, the source of revenue to be used for implementation and

enforcement of the proposed rule, and any anticipated effect on state revenues, including a projected net loss or gain in such revenues if it can be projected by the agency:

The agency anticipates that the proposed changes would potentially result in a budget impact of approximately \$86,814 total, with \$25,380 in state share for SFY 2020.

- F. A determination of whether implementation of the proposed rule will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule:

The proposed rule will not have an economic impact on any political subdivision nor will it require the cooperation of any political subdivision in implementing or enforcing the rule.

- G. A determination of whether implementation of the proposed rule will have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act:

The proposed rule will not have an adverse impact on small business but could benefit mobile dental clinic providers.

- H. An explanation of the measures the agency has taken to minimize compliance costs and a determination of whether there are less costly or non-regulatory methods or less intrusive methods for achieving the purpose of the proposed rule:

The agency has taken measures to determine that there is no less costly or non-regulatory method or less intrusive method for achieving the purpose of the proposed rule.

- I. A determination of the effect of the proposed rule on the public health, safety and environment and, if the proposed rule is designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk:

The proposed rule should have no adverse effect on the public health, safety, and environment.

- J. A determination of any detrimental effect on the public health, safety and environment if the proposed rule is not implemented:

OHCA does not believe there is a detrimental effect on the public health and safety if the rule is not passed; however, the proposed changes could have a positive impact on the dental health for SoonerCare members who can receive EPSDT dental services.

K. The date the rule impact statement was prepared and if modified, the date modified:

Prepared: January 2, 2019.

RULE TEXT:

**TITLE 317. OKLAHOMA HEALTH CARE AUTHORITY
CHAPTER 30. MEDICAL PROVIDERS-FEE FOR SERVICE**

SUBCHAPTER 5. INDIVIDUAL PROVIDERS AND SPECIALTIES

PART 80. MOBILE DENTAL CLINICS

317:30-5-706. Eligible Providers

In order to be eligible for payment, the provider shall meet all applicable requirements set forth in the Oklahoma Board of Dentistry rules and the Oklahoma State Dentistry Act, including, but not limited to, all licensing and registration requirements.

(1) All dentists and dental hygienists working for a mobile dental clinic shall be currently licensed and registered in good standing with the Oklahoma Board of Dentistry.

(A) The license (or a photocopy of the license) of each dentist or dental hygienist providing mobile dental services shall be prominently displayed in the mobile dental clinic.

(B) The permit to operate a mobile dental clinic shall be prominently displayed in the mobile dental clinic vehicle, in accordance with 59 O.S. § 328.40a.

(2) In accordance with OAC 317:30-5-695.1, each mobile dental clinic must be fully contracted with the OHCA as a dental group provider, and each individual dentist practicing within the mobile dental clinic must also be fully contracted with the OHCA.

(3) Mobile dental clinics shall comply with all state and federal Medicaid law, including, but not limited to, OHCA

administrative rules, the Code of Federal Regulations, and the Oklahoma State Medicaid Plan.

317:30-5-707. Parental Consent Requirements

The mobile dental clinic staff shall not perform any services on a minor without having obtained, prior to the provision of services, a signed, written consent from the minor's parent or legal guardian, that includes, at a minimum, the:

- (1) Name of the dental practice and/or dentist providing the mobile dental clinic services;
- (2) Permanent office address;
- (3) Telephone number that is available for emergency calls;
- (4) Full printed name of the child to receive services;
- (5) Child's SoonerCare Member ID number; and
- (6) Following questions and statement:
 - (A) Has the child had dental care in the past twelve (12) months? If yes, please list the name and address of the dentist or dental office where the care was provided.
 - (B) Does the child have a dental appointment scheduled at his/her dental home?

317:30-5-708. Coverage

Payment is made only to eligible mobile dental clinics for Early and Periodic Screening, Diagnosis and Treatment (EPSDT) services on behalf of eligible individuals under the age of twenty-one (21). All mobile dental clinics must have a SoonerCare-contracted, Oklahoma licensed dentist on site to supervise staff and provide certain services.

- (1) Mobile Dental Clinic coverage for children and young adults is limited to:
 - (A) One (1) fluoride application per member per twelve (12) months;
 - (B) One (1) dental assessment annually that is performed by a SoonerCare-contracted, Oklahoma licensed dentist; and
 - (C) Dental sealants on tooth numbers 2, 3, 14, 15, 18, 19, 30, and 31. The Oklahoma Health Care Authority (OHCA) will not reimburse for the application of dental sealants for a given OHCA member more than once every thirty-six (36) months regardless of whether the services are provided by a dental home or a mobile dental clinic.
- (2) Any further services that are not listed in Oklahoma Administrative Code (OAC) 317:30-5-709(1)(A)-(C) must be performed by a SoonerCare-contracted, Oklahoma licensed dentist (refer to OAC 317:30-5-695 through OAC 317:30-5-705).

317:30-5-709. Post-Care

Each member receiving dental care from a mobile dental clinic must receive an information sheet at the end of the visit. The information sheet must contain:

- (1) The name of the dentist or dental hygienist who provided the service;
- (2) A valid telephone number and/or other emergency contact number for the mobile dental clinic;
- (3) A listing of treatment rendered, including, when applicable, billing codes, fees, and tooth numbers;
- (4) A description of any follow-up treatment that is needed or recommended; and
- (5) Referrals to specialists or other dentists if the mobile dental clinic is unable to provide the necessary treatment, and additional care is needed.

317:30-5-710. Billing

Refer to OAC 317:30-5-704 through 317:30-5-705 for billing instructions and guidelines. Please note that for services billed by mobile dental clinics, the appropriate place of service must be identified on the claim.